

NEBRASKA ADMINISTRATIVE CODE

TITLE 219 - DEPARTMENT OF LABOR

CHAPTER 17 - PROFILING

001. The profiling system set forth in sections 001 to 007 of this chapter shall be utilized in determining those workers referred by the Commissioner for reemployment services pursuant to *Neb. Rev. Stat. §48-627(6)*. The primary purpose of this profiling system is to identify and assist workers who are permanently separated from their employment due to layoff and who are likely to exhaust their unemployment benefits.
002. All claimants shall be reviewed to determine if they meet the current criteria for receiving reemployment services. The initial review shall occur immediately after a claimant has been paid unemployment benefits for his/her first week of eligibility in a new benefit year. The Commissioner may exclude interstate claimants from the review process.
003. Claimants for whom the work search requirements have been waived pursuant to 219 NAC 4, section 005 shall be deemed attached employees and shall not be referred for reemployment services.
004. The following factors may be utilized in the statistical model used to determine those individuals most likely to exhaust their unemployment benefits and benefit from reemployment services:
- A. The claimant's most recent separation from employment was due to a layoff occurring within three months of his/her first week of eligibility in his/her new benefit year;
 - B. Claimants selected for reemployment services shall be claimants who have received their first UI Benefits check;
 - C. The claimant's educational training and job tenure in his/her most recent employment;
 - D. Whether the claimant was last employed in a declining industry;
 - E. Whether the claimant's last employment was an occupation for which there is a low demand for workers; and

- F. Such other factors as the Commissioner may deem likely to determine the probability of the dislocated worker exhausting his/her unemployment benefits before finding reemployment.
005. Factors that shall not be used in determining which claimants are selected for referral for reemployment services are:
- A. The claimant's age;
 - B. The claimant's race, color, ethnic origin, national origin or citizenship;
 - C. The claimant's sex;
 - D. The claimant's disability or disabilities;
 - E. The claimant's political affiliation; and
 - F. The claimant's religion.
006. The claimants referred for reemployment services shall be referred to Nebraska Workforce Development Centers, or other such entities as the Commissioner of Labor shall deem appropriate. No claimant shall be referred to, or required to participate in, reemployment services for which a fee is charged.
007. Claimants not referred for reemployment services may apply to receive such services. Claimants who are not referred for reemployment services by the Commissioner pursuant to *Neb. Rev. Stat. §48-627(6)* and this chapter shall not be disqualified for failure to participate in reemployment services. Participation in reemployment services under this section does not affect registration for work if required by the Commissioner.